

Alabama Peace Officers Standards and Training Commission



Functional Analysis & Records Disposition Authority

**Revision
Presented to the
State Records Commission
October 23, 2002**

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Functional and Organizational Analysis of the Alabama Peace Officers Standards and Training Commission

Sources of Information

- Representatives of the Alabama Peace Officers Standards and Training Commission:
 - Tommie Black, Executive Assistant
 - Wendy Hobbie, Certification Coordinator
 - Debbie Fant, Administrative Support Assistant III
- Code of Alabama 1975 § 36-21-40 through § 36-21-52
- Code of Alabama 1975 § 41-20-1 through § 41-20-16 (Sunset Law)
- Alabama Administrative Code Chapters 650-X-1 through 650-X-12
- Alabama Government Manual (1998)
- Alabama Peace Officers Standards and Training Commission Audit Report (1997)
- Government Records Division, Alabama Peace Officers Standards and Training Commission Records Retention Schedules
- Government Records Division, State Agency Files (1985-ongoing)

Historical Context

The legislature created the Alabama Peace Officers Standards and Training Commission in 1971. The state legislature continued the commission's existence following sunset review in 1982. Before the creation of the commission, there was no agency to regulate the qualifications of law enforcement officers and law enforcement training facilities in the state.

Agency Organization

The Alabama Peace Officers Standards and Training Commission consists of seven members. The State Fraternal Order of Police designates one member; the Alabama Peace Officers Association designates one member; and the Law Enforcement Planning Association designates one member. The governor appoints the other four members. Commission members serve for four-year staggered terms. The commission elects a chairman and a vice-chairman from its membership. The commission meets in regular session quarterly. The commission employs an executive secretary and other necessary clerical assistants to carry out its duties. An organizational chart is attached.

Agency Function and Subfunctions

The mandated function of the Alabama Peace Officers Standards and Training Commission is to prescribe minimum standards for recruitment and training of law enforcement officers. The commission is one of the agencies primarily involved in carrying out the Regulatory function of Alabama government.

In the performance of its mandated functions, the Alabama Peace Officers Standards and Training Commission may engage in the following subfunctions:

- **Promulgating Rules and Regulations.** The Alabama Peace Officers Standards and Training Commission is responsible, under the Code of Alabama 1975 § 36-21-45, for the adoption and promulgation of standards relating to the physical, mental, and moral fitness of any applicant for or appointee as a law enforcement officer, and for the curriculum and courses offered by law enforcement training academies.
- **Certifying Law Enforcement Officers.** In accordance with the Alabama Administrative Code Chapter 650-X-4, the commission reviews and approves/denies applicants for certification as law enforcement officers. Applicants must show evidence of compliance with age, education, training, physical, character, and employment requirements prior to certification. Each certified law enforcement officer is required to complete 12 hours of continuing education courses annually while all municipal police chiefs and acting police chiefs must finish 20 hours of executive level continuing education courses. All law enforcement officers also must pass an annual firearm re-qualification course approved by the Peace Officers Standards and Training Commission. This subfunction involves all activities performed by the commission to ascertain that each law enforcement officer in the state is selected and trained in accordance with established minimum standards.
- **Certifying Law Enforcement Training Facilities and Instructors.** In accordance with the Alabama Administrative Code Chapter 650-X-3, the commission inspects and certifies police academies that offer basic training courses to law enforcement officers. Prior to certification, the academy must provide the commission with information on the geographical area that will be covered by the academy, estimated number of students, proposed method of funding, and anticipated yearly budget. Staff members of the commission will conduct an onsite inspection and prepare a recommendation to the commission for action. Certification will continue in effect until surrendered or revoked.
- **Investigating Complaints or Violations.** The Alabama Administrative Code Chapter 650-X-5 directs the commission to investigate complaints alleging any violations of the law of Alabama or rules of the commission and determine whether probable cause exists for disciplinary action. The Code of Alabama 1975 § 36-21-52 authorizes the commission to revoke the certification of any law enforcement officer when the officer is convicted of a felony.
- **Administering Internal Operations.** A significant portion of the agency's activities include general administrative, financial, and personnel activities geared toward the internal functioning of the agency. These administrative duties are grouped together under the subfunction Administering Internal Operations. Administering Internal Operations includes the following groups of activities:

Managing the Agency: Activities include internal office management activities common to most government agencies such as corresponding and communicating, scheduling, meeting, documenting policy and procedures, reporting, litigating, legislating (drafting, lobbying, tracking), publicizing and providing information, managing records, and managing information systems and technology.

Managing Finances: Activities include budgeting (preparing and reviewing a budget package, submitting the budget package to the state Finance Department; documenting amendments and performance of the budget); purchasing (requisitioning and purchasing supplies and equipment, receipting and invoicing for goods, and authorizing payment for products received); accounting for the expenditure, encumbrance, disbursement, and reconciliation of funds within the agency's budget through a uniform system of accounting and reporting; authorizing travel; contracting with companies or individuals; bidding for products and services; assisting in the audit process; investing; and issuing bonds.

Managing Human Resources: Activities include recruiting and hiring eligible individuals to fill positions within the agency; providing compensation to employees; providing benefits to employees, such as leave, health insurance, unemployment compensation, worker's compensation, injury compensation, retirement, and death benefits; supervising employees by evaluating performance, promoting, granting leave, and monitoring the accumulation of leave; training and providing continuing education for employees; and disciplining.

Managing Properties, Facilities, and Resources: Activities include: inventorying and accounting for non-consumable property and reporting property information to the appropriate authority; constructing buildings and facilities; leasing and/or renting offices or facilities; providing security for property owned by the agency; insuring property; and assigning, inspecting and maintaining agency property, including vehicles.

Analysis of Record Keeping System and Records Appraisal of the Alabama Peace Officers Standards and Training Commission

Agency Record Keeping System

The Alabama Peace Officers Standards and Training Commission currently operates a hybrid record keeping system composed of a paper-based record keeping, a computer system, micrographics, and a digital imaging system.

Paper-based System: Staff members create and maintain most of the agency's records in paper form.

Computer System: The commission utilizes the Windows NT operating system to maintain a Local Area Network (LAN) for its staff members. About ten personal computers and scanning workstations are linked to the LAN. The commission's relational database, created in Fox Pro, maintains data concerning all certified law enforcement officers in the state. Staff members start to enter information into the database when a law enforcement officer's application is accepted to attend a police academy. The commission updates information on the certification, annual continuing education training, and annual firearms re-qualification evidence. All law enforcement officers' training and employment data are maintained in the database for reference. The commission installed a digital imaging system utilizing Keyfile software in 1992 to scan law enforcement officer certification files. Currently, the commission continues to maintain the paper-based files as its backups (security copies).

A complete backup of the LAN occurs nightly. Backup tapes are stored both on-site and off-site. The tapes are cycled bi-weekly.

The commission maintains a web site at www.apostc.state.al.us to provide information on the commission's rules and regulations, and the dates and locations of scheduled basic law enforcement training and continuing education classes.

Micrographics: The commission contracted with the Department of Industrial Relations to microfilm its law enforcement officers certification files. The quality of the microfiche does not meet technical and other standards approved by the American National Standards Institute (ANSI) and the Association for Image and Information Management (AIIM). Therefore, all certification files created between 1972 and 1985 are maintained in paper and microfiche. Beginning in 1986, the commission hired the Century Microfilm Services to output to microfiche all of its certification files. All paper-based certification files created between 1986 and 1991 were destroyed after they were microfilmed.

Records Appraisal

The following is a discussion of the two major categories of records created and/or maintained by the Alabama Peace Officers Standards and Training Commission: Temporary Records and Permanent Records.

I. Temporary Records. Temporary records should be held for what is considered to be their active life and disposed of once all fiscal, legal and administrative requirements have been met. Some of the temporary records created by the commission are discussed below:

- **Law Enforcement Officer Certification Files.** This series consists of documents submitted by law enforcement agencies and used by the commission staff in determining whether applicants for law enforcement officer certification have met the minimum standards set forth by Alabama law. Certification requirements may include age, education, physical condition, character, and professional training. A typical file may contain a completed application package, fingerprint results, psychological testing results, training record, employment data, and investigation materials. The records are arranged and filed chronologically by year and then alphabetically by last name of licensee within that year. As an evidence of the certification history of individual licensees, this series is recommended for a 40-year retention after certification to cover substantially more than the average career span of law enforcement officers. The commission also recommends the same retention periods for the Annual Law Enforcement Officer Firearm's Re-qualification Files, the Annual Law Enforcement Officer Continuing Education Files, and the Complaint/Violation Investigation File. All of them are created for similar purposes.

II. Permanent Records. The Government Records Division recommends the following records as permanent.

Promulgating Rules and Regulations

- **Meeting Minutes of the Commission.** The commission is charged with the responsibilities for developing and implementing rules and regulations relating to the selection, recruitment, training, and monitoring of law enforcement officers. These records document proceedings of the commission's quarterly meetings. (**Bibliographic Title: Meeting Minutes**)

Certifying Law Enforcement Officers

Permanent records providing summary documentation of this subfunction are found in the Meeting Minutes as described in the Promulgating Rules and Regulations subfunction.

Certifying Law Enforcement Training Facilities and Instructors

- **Law Enforcement Officer Training/Continuing Education Course Curricula.** These are courses of study approved by the commission for law enforcement officers' basic

training or continuing education. Subjects covered in the curricula generally include introduction to law enforcement, equipment, criminal investigations, criminal procedures and laws of evidence, juvenile procedures, courts, patrol techniques, traffic operations, offensive and defensive tactics, community/news media relations, and firearms training. The records document the commission's efforts in establishing standards and minimum qualifications for training law enforcement officers across the state. **(Bibliographic Title: Course Curricula)**

- **Peace Officer Basic Training Rosters.** These records are created by various police academies across the state to document peace officer trainees who have either graduated or failed to graduate. Information available in these records includes names of trainees, agencies of employment, social security numbers, dates of birth, sex, training status (graduated or failed), certification numbers, and reasons for failure to graduate. This series would serve as the most comprehensive documentation of peace officers trained to perform their law enforcement duties in the state.

Investigating Complaints or Violations

Permanent records providing summary documentation of this subfunction are found in the Meeting Minutes as described in the Promulgating Rules and Regulations subfunction.

Permanent Records List Alabama Peace Officers Standards and Training Commission

Promulgating Rules and Regulations

1. Meeting Minutes of the Commission

Certifying Law Enforcement Training Facilities and Instructors

1. Law Enforcement Officer Training/Continuing Education Course Curricula
2. Peace Officer Basic Training Rosters

*indicates records that ADAH anticipates will remain in the care and custody of the creating agency.

ADAH staff members are available to work with agency staff in determining the best location and storage conditions for the long-term care and maintenance of permanent records.

Alabama Peace Officers Standards and Training Commission Records Disposition Authority

This Records Disposition Authority (RDA) is issued by the State Records Commission under the authority granted by the Code of Alabama 1975 § 41-13-5 and § 41-13-20 through 21. It was compiled by the Government Records Division, Alabama Department of Archives and History (ADAH), which serves as the commission's staff, in cooperation representatives of the Peace Officers Standards and Training Commission. The RDA lists records created and maintained by the Peace Officers Standards and Training Commission in carrying out its mandated functions and activities. It establishes retention periods and disposition instructions for those records and provides the legal authority for the Peace Officers Standards and Training Commission to implement records destruction.

Alabama law requires public officials to create and maintain records that document the business of their offices. These records must be protected from "mutilation, loss, or destruction," so that they may be transferred to an official's successor in office and made available to members of the public. Records must also be kept in accordance with auditing standards approved by the Examiners of Public Accounts (Code of Alabama 1975 § 36-12-2, § 36-12-4, and § 41-5-23). For assistance in implementing this RDA, or for advice on records disposition or other records management concerns, contact the ADAH Government Records Division at (334) 242-4452.

Explanation of Records Requirements

- This RDA supersedes any previous records disposition schedules governing the retention of the Police Officers Standards and Training Commission's records. Copies of superseded schedules are no longer valid and should be discarded.
- The RDA establishes retention and disposition instructions for records listed below, regardless of the medium on which those records may be kept. Electronic mail, for example, is a communications tool that may record permanent or temporary information. As for records in any other format, the retention periods for e-mail records are governed by the requirements of the subfunctions to which the records belong.
- Some temporary records listed under the Administering Internal Operations subfunction of this RDA represent duplicate copies of records listed for long-term or permanent retention in the RDAs of other agencies.
- Certain records and records-related materials need not be retained as records under the disposition requirements in this RDA. Such materials include: (1) duplicate record copies that do not require official action, so long as the creating office maintains the original record for the period required; (2) catalogs, trade journals, and other publications received that require no action and do not document government activities; (3) stocks of blank stationery, blank forms, or other surplus materials that are not subject to audit and have become obsolete; (4) transitory records, which are temporary records created for short-term, internal purposes that may include, but are not limited to: telephone call-back

messages; drafts of ordinary documents not needed for their evidential value; copies of material sent for information purposes but not needed by the receiving office for future business; and internal communications about social activities; and (5) honorary materials, plaques, awards, presentations, certificates, and gifts received or maintained by the agency staff.. They may be disposed of without documentation of destruction.

Records Disposition Requirements

This section of the RDA is arranged by subfunctions of the Peace Officers Standards and Training Commission and lists the groups of records created and/or maintained by the commission as a result of activities and transactions performed in carrying out these subfunctions. The commission may submit requests to revise specific records disposition requirements to the State Records Commission for consideration at its regular quarterly meetings.

Promulgating Rules and Regulations

MEETING MINUTES OF THE COMMISSION

Disposition: PERMANENT RECORD.

Recordings of the Commission Meetings

Disposition: Temporary Record. Retain until the official minutes are adopted and signed.

Administrative Procedures Rule Filings

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

REGISTER OF ADMINISTRATIVE PROCEDURES RULE FILINGS

Disposition: PERMANENT RECORD. Retain in office (Code of Alabama 1975 § 41-22-6).

Certifying Law Enforcement Officers

Law Enforcement Officer Certification Files

Disposition: Temporary Record. Retain 40 years after the year of certification.

Annual Law Enforcement Officer Firearms Re-Qualification Files

Disposition: Temporary Record. Retain 40 years after creation.

Annual Law Enforcement Officer Continuing Education Files

Disposition: Temporary Record. Retain 40 years after creation.

Law Enforcement Officer Certification Database

Disposition: Temporary Record. Retain for useful life.

Certifying Law Enforcement Training Facilities and Instructors

LAW ENFORCEMENT OFFICER TRAINING/CONTINUING EDUCATION COURSE CURRICULA

Disposition: PERMANENT RECORD.

PEACE OFFICER BASIC TRAINING ROSTERS

Disposition: PERMANENT RECORD.

Law Enforcement Training Instructor Certification Files

Disposition: Temporary Record. Retain 5 years after the certification is expired or revoked.

Law Enforcement Training Facility Certification Files (Police Academy Files)

Disposition: Temporary Record. Retain 5 years after the certification is expired or revoked.

Law Enforcement Training Facility Enrollment/Graduation Rosters

Disposition: Temporary Record. Retain for useful life.

Investigating Complaints or Violations

Complaint/Violation Investigation Files

Disposition: Temporary Record. Retain 40 years after the closure of the case.

Administering Internal Operations: Managing the Agency

Commission Members' Files

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the term expires.

Routine Correspondence

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Reference Files

Disposition: Temporary Record. Retain for useful life.

Telephone Logs

Disposition: Temporary Record. Retain 3 years.

Calendars

Disposition: Temporary Record. Retain 1 year.

Legislative Session Files

Disposition: Temporary Record. Retain for useful life.

Records documenting the implementation of the agency's RDA (copies of transmittal forms to Archives or State Records Center, evidence of obsolete records destroyed, and annual reports to the State Records Commission)

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the records were created.

Copies of RDA

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the RDA is superseded.

System Documentation (hardware/software manuals and diskettes, records of access/authorities, file naming conventions, Y2K records)

Disposition: Temporary Record. Retain documentation of former system 3 years after the end of the fiscal year in which the former hardware and software no longer exists anywhere in the agency and all permanent records have been migrated to a new system.

Printouts of Acknowledgment from the Secretary of State Relating to Notices of Meetings Posted by State Agencies

Disposition: Temporary Record. Retain 3 years.

Administering Internal Operations: Managing Finances

Records documenting the preparation of a budget request package and reporting of the status of funds, requesting amendments of allotments, and reporting program performance

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting the requisitioning and purchasing of supplies and equipment, receipting and invoicing for goods, and authorizing payment for products

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records of original entry such as journals, registers, and ledgers, and records of funds deposited outside the state treasury

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting requests for authorization from supervisors to travel on official business and other related materials, such as travel reimbursement forms and itineraries

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Contractual records established for the purpose of services or personal property

Disposition: Temporary Record. Retain 6 years after expiration of the contract.

Records documenting the bid process, including requests for proposals and unsuccessful responses

- a. Original Bid Records Maintained in the Purchasing Office of the Agency for Contracts over \$7500
Disposition: Temporary Record. Retain 7 years after the end of the fiscal year in which the bids were opened.
- b. Duplicate copies of bid (where originals are maintained by the Finance Department - Division of Purchasing)
Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the bids were opened.

Administering Internal Operations: Managing Human Resources

Job Recruitment Materials

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the records were created.

Application Materials

Disposition: Temporary Record. Retain 1 year.

Position Classification Records

Disposition: Temporary Record. Retain 4 years after reclassification of the position.

Records documenting payroll (e.g. pre-payroll reports, payroll check registers)

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the records were created.

Records documenting payroll deductions for tax purposes (including Form 941)

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the records were created.

Records documenting employee hours worked, leave earned, and leave taken

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the records were created.

Records documenting employees' daily and weekly work schedules

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting leave donations

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records of final leave status

Disposition: Temporary Record. Retain record of individual employees' cumulative leave 6 years after separation of employee from the agency.

Records documenting an employee's work history – generally maintained as a case file

Disposition: Temporary Record. Retain 6 years after separation of an employee from the agency.

Section/Division Personnel Files

Disposition: Temporary Record. Retain until separation of an employee from the agency.

Records documenting the employee appeal to the Personnel Board of formal reprimands, personnel suits, demotions, transfers, or terminations

Disposition: Temporary Record. Retain 5 years following decision of Personnel Board.

Employee Flexible Benefits Plan Files (applications and correspondence)

Disposition: Temporary Record. Retain 6 years.

Records documenting the State Employee Injury Compensation Trust Fund (SEICTF) Claims

Disposition: Temporary Record. Retain 6 years after separation of the employee from the agency.

Employee Administrative Hearing Files

Disposition: Temporary Record. Retain 6 years after separation of employee from the agency.

Administering Internal Operations: Managing Properties, Facilities, and Resources**SEMIANNUAL INVENTORY LISTS**

Disposition: PERMANENT RECORD. Retain in office (Code of Alabama 1975 § 36-16-8[1]).

Transfer of State Property Forms (SD-1 Agency Copy)

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the records were created.

Inventory Cards

Disposition: Temporary Record. Retain 3 years after end of the fiscal year following the removal of an item from inventory.

Property Inventory Affidavits

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the records were created.

Receipts of Responsibility for Property

Disposition: Temporary Record. Retain until return of item to property manager.

Computer Equipment Inventory Records

Disposition: Temporary Record. Retain until disposition of equipment.

Records documenting the lease or rental of office or warehouse space for the agency

Disposition: Temporary Record. Retain 6 years after expiration of the lease.

Records documenting the use, maintenance, ownership, insurance, and disposition of vehicles owned by the agency

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the vehicle was removed from the property inventory.

Requirement and Recommendations for Implementing the Records Disposition Authority (RDA)

Under the Code of Alabama 1975 § 41-13-21, “no state officer or agency head shall cause any state record to be destroyed or otherwise disposed of without first obtaining approval of the State Records Commission.” This Records Disposition Authority constitutes authorization by the State Records Commission for the disposition of the records of the Peace Officers Standards and Training Commission (hereafter referred to as the agency) as stipulated in this document.

One condition of this authorization is that the agency submit an annual Records Disposition Authority (RDA) Implementation Report on agency records management activities, including documentation of records destruction, to the State Records Commission in July of each year. In addition, the agency should make every effort to establish and maintain a quality record-keeping program through the following activities:

- The agency should designate a records liaison, who is responsible for: ensuring the development of quality record keeping systems that meet the business and legal needs of the agency, coordinating the transfer and destruction of records, ensuring that permanent records held on alternative storage media (such as microforms and digital imaging systems) are maintained in compliance with national and state standards, and ensuring the regular implementation of the agency’s approved RDA.
- Permanent records in the agency’s custody should be maintained under proper intellectual control and in an environment that will ensure their physical order and preservation.
- Destruction of temporary records, as authorized in this RDA, should occur agency-wide on a regular basis – for example, after the successful completion of an audit, at the end of an administration, or at the end of a fiscal year. Despite the RDA’s provisions, no record should be destroyed that is necessary to comply with requirements of the state Sunset Act, audit requirements, or any legal notice or subpoena.
- The agency should maintain full documentation of any computerized record-keeping system it employs. It should develop procedures for: (1) backing up all permanent records held in electronic format; (2) storing a back-up copy off-site; and (3) migrating all permanent records when the system is upgraded or replaced. If the agency chooses to maintain permanent records solely in electronic format, it is committed to funding any system upgrades and migration strategies necessary to ensure the records’ permanent preservation and accessibility.
- The staff of the State Records Commission or the Examiners of Public Accounts may examine the condition of the permanent records maintained in the custody of the agency and inspect records destruction documentation. Government Records Division archivists are available to instruct the agency staff in RDA implementation and otherwise assist the agency in implementing its records management program.

The State Records Commission adopted this Records Disposition Authority on October 23, 2002.

Edwin C. Bridges, Chairman
State Records Commission

Date

Receipt acknowledged:

R. Alan Benefield, Executive Secretary
Alabama Peace Officers Standards and Training Commission

Date